

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 07 CR 50070
vs.)	Violations: Title 18, United States Code,
)	Sections 844(i), 844(n) and 1623
SAMER J. ALJABARI,)	
MATTHEW R. MCMEEKAN,)	SUPERSEDING INDICTMENT
CHRISTOPHER R. TAYLOR, and)	
HAROLD LAMAR RAINS)	

COUNT ONE

The DECEMBER 2006 GRAND JURY charges:

On or about October 4, 2007, at Oregon, in the Northern District of Illinois, Western Division, and elsewhere,

SAMER J. ALJABARI,
MATTHEW R. MCMEEKAN,
CHRISTOPHER R. TAYLOR, and
HAROLD LAMAR RAINS,

defendants herein, did maliciously damage and destroy, and attempt to damage and destroy, by means of fire, a building and personal property located at 210 South Fourth Street, Oregon, Illinois, which was then being used in activities affecting interstate commerce;

In violation of Title 18, United States Code, Section 844(i).

FILED
MAR 18 2008
MAGISTRATE JUDGE P. MICHAEL MAHONEY
United States District Court

COUNT TWO

The DECEMBER 2006 GRAND JURY further charges:

1. At times material to this indictment:

a. The Oregon Smoke Shop was a business located at 210 South Fourth Street, Oregon, Illinois consisting of a building, fixtures, and equipment. The Oregon Smoke Shop was engaged in activities affecting interstate commerce in that it sold tobacco and tobacco-related products which had previously been transported in interstate commerce to retail customers.

b. Sam's Wholesale Tobacco and Gifts (hereinafter "Sam's Wholesale Tobacco") was a business located at 204 West Washington Street, Oregon, Illinois and sold retail tobacco and tobacco-related products at that location.

c. Defendant SAMER J. ALJABARI worked at Sam's Wholesale Tobacco as a clerk and also resided at that address in a room in the back of the business.

d. Sam's Wholesale Tobacco was owned by a relative (hereinafter "Relative A") of defendant ALJABARI.

2. Beginning at least as early as July 2007 and continuing to on or about October 4, 2007, at Oregon, in the Northern District of Illinois, Western Division, and elsewhere,

SAMER J. ALJABARI,
MATTHEW R. MCMEEKAN,
CHRISTOPHER R. TAYLOR, and
HAROLD LAMAR RAINS,

defendants herein, did conspire with each other and with others known and unknown to the Grand Jury, to maliciously damage and destroy, by means of fire, the building and personal property located

at 210 South Fourth Street, Oregon, Illinois, which property was being used in activities affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i);

3. It was a part of the conspiracy that defendant ALJABARI recruited various individuals to burn down the Oregon Smoke Shop because it was a competitor of Sam's Wholesale Tobacco and was hurting its business.

4. It was a further part of the conspiracy that the defendants would and did misrepresent, conceal, and hide, and cause to be misrepresented, concealed and hidden the existence of the conspiracy, the purpose of the conspiracy, and the acts done in furtherance of the conspiracy.

5. In furtherance of the conspiracy and to effect the objects thereof, the members of the conspiracy, defendants ALJABARI, MCMEEEKAN, TAYLOR and RAINS, committed a number of overt acts in the Northern District of Illinois, Western Division, including but not limited to the following:

OVERT ACTS

a. Beginning in July 2007 and continuing to October 4, 2007, ALJABARI recruited MCMEEEKAN and RAINS to burn down the Oregon Smoke Shop because the Oregon Smoke Shop was hurting the business of Sam's Wholesale Tobacco. Between July and October 2007, ALABARI had several discussions with MCMEEEKAN and RAINS regarding burning down the Oregon Smoke Shop and offered to pay MCMEEEKAN and RAINS between \$1,000 to \$2,500 each to burn down the Oregon Smoke Shop.

b. On or about October 3, 2007, MCMEEEKAN went to Sam's Wholesale Tobacco and met with ALJABARI. During that meeting, ALJABARI said he wanted the Oregon Smoke Shop to be set on fire that evening.

c. On or about October 3, 2007, MCMEEKAN went to the Oregon Smoke Shop and broke the front window of the business with a baseball bat.

d. On or about October 4, 2007, MCMEEKAN recruited TAYLOR to help him burn down the Oregon Smoke Shop.

e. On or about October 4, 2007, ALJABARI met with MCMEEKAN and TAYLOR and agreed to pay MCMEEKAN and TAYLOR \$1,000 each if they burned down the Oregon Smoke Shop.

f. On or about October 4, 2007, TAYLOR met with RAINS. TAYLOR said he and MCMEEKAN were going to start a fire at the Oregon Smoke Shop that evening. RAINS agreed to falsely report to the Oregon Police Department that he had observed a suspicious person near his residence to create a diversion and assist MCMEEKAN and TAYLOR in avoiding apprehension by Oregon Police Department officers. RAINS agreed to make the false report in exchange for a portion of the money that ALJABARI had agreed to pay MCMEEKAN and TAYLOR for starting the fire.

g. On or about October 4, 2007, RAINS called the Oregon Police Department and falsely stated that he had observed a suspicious individual near his residence. After an Oregon Police officer responded to RAINS' call, RAINS sent MCMEEKAN a text message stating, "Go."

h. On or about October 4, 2007, MCMEEKAN and TAYLOR traveled to the Oregon Smoke Shop and TAYLOR entered the Oregon Smoke Shop through the window that MCMEEKAN had previously broken.

i. On or about October 4, 2007, MCMEEKAN handed TAYLOR containers of gasoline and kerosene through the front window of the Oregon Smoke Shop.

j. On or about October 4, 2007, TAYLOR poured gasoline and kerosene throughout the interior of the Oregon Smoke Shop and used a lighter to start a fire in the Oregon Smoke Shop.

k. On or about October 4, 2007, MCMEEKAN and TAYLOR went to Sam's Wholesale Tobacco and met with ALJABARI. At that meeting, ALABARI took the clothing and shoes that MCMEEKAN and TAYLOR were wearing when they started the fire at the Oregon Smoke Shop and agreed to destroy them.

In violation of Title 18, United States Code, Sections 844(i) and (n).

COUNT THREE

The DECEMBER 2006 GRAND JURY further charges:

1. On or about December 4, 2007, there was convened, at Rockford, in the United States District Court for the District of Northern Illinois, a grand jury, known as the December 2006 Grand Jury. This grand jury was charged with investigating allegations of various violations of United States law, including whether defendants ALJABARI, MCMEEKAN and TAYLOR violated and conspired to violate Title 18, United States Code, Section 844(i).

2. On or about December 4, 2007, defendant RAINS, having duly taken an oath that he would testify truthfully, testified on his oath in a proceeding in front of the December 2006 Grand Jury. It was material to the proceeding whether RAINS had any conversations with defendants ALJABARI, MCMEEKAN and TAYLOR regarding starting a fire at the Oregon Smoke Shop.

3. On or about December 4, 2007, at Rockford, in the Northern District of Illinois, Western Division,

HAROLD LAMAR RAINS,

defendant herein, while under oath in a proceeding before a grand jury of the United States, knowingly made false material declarations, to wit:

i) Q: When you were out there, well, when you were out there, did you notice anything unusual?

A: Yeah. I went out there, I, you know, got my smokes, got my lighter, locked my doors and then looked over there and there was a black, black figure sitting there by the bushes and they took off running when I started walking up towards them.

ii) Q: And this person you saw, did, did you recognize the person?

A: I didn't see a face or anything. He was wearing all black.

Q: Okay. And so you have, you have no idea who it was?

A: No.

iii) Q: Okay. Did you ever have any conversations with Matt McMeekan about burning down the –

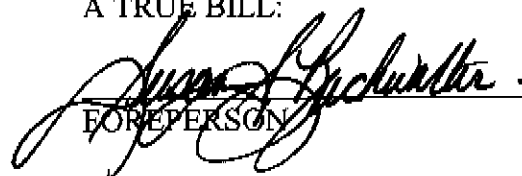
A: No.

Q: smoke shop?

A: No.

In violation of Title 18, United States Code, Section 1623.

A TRUE BILL:


FOREPERSON


UNITED STATES ATTORNEY

FILED
MAR 18 2008
MAGISTRATE JUDGE P. MICHAEL MAHONEY
United States District Court

No.: 07 CR 50070

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA

VS.

SAMER J. ALJABARI, MATTHEW R. MCKEEKAN, AND CHRISTOPHER R. TAYLOR

INDICTMENT

Violation(s): Title 18, United States Code, Section 844(i)

A true bill,

For cause

Filed in open court this 18 day of March, A.D. 2008

Clerk

Bail, \$